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**General Motors Corporation  
Legal Staff**

Telephone

313/974-1552

June 5, 1987

Mr. Basil G. Constantelos, Director  
Waste Management Division  
U.S. Environmental Protection Agency  
Region 5  
230 South Dearborn Street  
Chicago, IL 60604

Attn: Ms. Deborah Garber  
Assistant Regional Counsel

Dear Mr. Constantelos:

Re: Sanitary Landfill Company  
(Industrial Waste Disposal Co., Inc.)  
Montgomery County, Ohio

In further response to your letter dated April 30, 1987, enclosed is General Motors Corporation's insurance information in connection with the information request under Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980.

Please advise if you have any questions concerning this matter.

Very truly yours,

Leonard F. Charla  
Assistant General Counsel

LFC:sb

Enclosure

c: Al Aguwa  
David Buskirk  
Joseph Chu  
Howard Jordan  
Stephen Langlois (w/o encl.)  
Ruth Mancos



General Motors Corporation

Date June 3, 1987

To: Mr. L. F. Charla  
GM Legal Staff

From: Risk Management Section

Subject: Sanitary Landfill Company  
(Industrial Waste Disposal Co., Inc.)  
Montgomery County, Ohio

To the best of my knowledge, GM has never purchased "Environmental Impairment Liability" (EIL) insurance. General Motors has purchased its primary general liability insurance from Royal Insurance Company of America (and its predecessor companies) since before 1925. Please see the attached Exhibit I for the various policy numbers, policy periods and Royal carrier.

Since September 1, 1985, GM's general liability insurance policies have provided \$12 million (per occurrence) of limited pollution liability insurance, but only to the extent that "such personal injury and property damage occurs within twenty four (24) hours of the discharge, dispersal, release or escape". Above this amount, GM has no pollution liability coverage in its U.S. general liability insurance policies (aside from limited pollution liability coverage provided in excess of \$100 million per occurrence).

Prior to September 1, 1985, it is believed that GM's excess liability insurance policies provided the same type of pollution coverage as the underlying or primary policies. In this regard, from September 1, 1974 through August 31, 1985, GM's primary general liability insurance policies contained the following exclusion: "This policy does not apply to liability arising out of the discharge, dispersal, release or escape of smoke, vapor, soot, fumes, acids, alkalis, toxic chemicals, liquids or gases, waste materials or other irritants, contaminants or pollutants into or upon land, the atmosphere or any water course or body of water; but this exclusion does not apply if such discharge, dispersal, release or escape is sudden and accidental."

Prior to September 1, 1974, there are no known pollution liability exclusions on GM's general liability insurance policies. However, from December 31, 1971 to August 31, 1974, GM's general liability insurance was provided on a claims made basis. Thus, GM's policies only cover claims actually made or filed during the policy period.

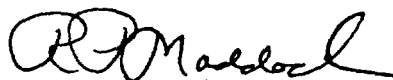
Policy number RTG 060000 was in effect from January 1, 1964 to January 1, 1973. Effective December 31, 1971, it was agreed (by endorsement to RTG 060000) that for all claims made after that date, the date of "occurrence" would be deemed to be the date that the claim was made. On January 1, 1964, the previous policy number, RLG 060000, was changed to RTG 060000. Earlier and effective January 1, 1959, policy number RLG 60109, which had become effective January 1, 1955, was changed to RLG 060000.

In other words, though GM had occurrence based coverage with no pollution liability exclusions from January 1, 1955 to December 31, 1971, an endorsement effective December 31, 1971 changed the timing of an "occurrence" to be concurrent with the filing of a claim. Any claim made after December 31, 1971 relative to an occurrence (event) which happened between January 1, 1955 and December 31, 1971 might, therefore, be covered by the policy in effect at the time the claim was made, not the policy in effect on the date of the actual occurrence (event).

We have been unable to find documentation concerning GM's general liability insurance purchased prior to January 1, 1955. It is believed that policies purchased prior to this date contained no pollution liability exclusion, but were limited in the amount of coverage they provided. If continued efforts are necessary in this regard, please let us know.

Further, due to GM's financial strength (with assets currently in excess of \$90 billion), the amount of insurance available to GM would seem to be immaterial relative to its ability to cooperate, as necessary, in the above Superfund site. Thus, we assume the above information will be adequate in this instance.

If you should have any questions or if additional information is required, please contact Mr. S. R. Langlois of my staff.

  
R. P. Maddock, Director  
Property and Liability Risks

SRL:ile  
Attachment  
9555G/7/8

Exhibit I

<u>Policy Period</u>	<u>Royal Carrier</u>	<u>Policy Number</u>
1-1-25 to 1-1-55	Specific Carrier Unknown	Specific Policy Number Unknown
1-1-55 until Cancelled	Royal Indemnity Company	RLG 60109 (Changed to RLG 060000 eff. 1-1-59 by Endorsement No. 13)
1-1-61 until Cancelled	Royal Indemnity Company	RLG 060000 - portions rewritten
1-1-64 until Cancelled	Royal Indemnity Company	RTG 060000 (Changed from RLG 060000 by Endorsement No. 4)
9-1-73 until Cancelled	Royal Globe Insurance Company	PTG 060000 (Cover Note eff. 9-1-73 Changed Policy Number and Carrier Name)
9-1-74 until Cancelled	Royal Globe Insurance Company	PTG 760000 - New Policy
1-1-77 to 9-1-78	Royal Globe Insurance Company	PTG 760177 - New Policy
9-1-78 to 9-1-79	Royal Globe Insurance Company	PTG 760177
9-1-79 to 9-1-80	Royal Globe Insurance Company	PTG 760177
9-1-80 to 9-1-81	Royal Insurance Company of America	PTG 760177

Policy Periods: 9-1-80 to 9-1-81  
9-1-81 to 9-1-82  
9-1-82 to 9-1-83  
9-1-83 to 9-1-84  
9-1-84 to 9-1-85  
9-1-85 to 9-1-86  
9-1-86 to 9-1-87  
All have the same Royal Carrier  
and Policy Number as above.

11 JUN 1987

U.S. EPA-REGION V			
TO	MAIL CODE	LOCATION	FROM
	5RA	JCK-14	OFFICE OF REGIONAL ADMINISTRATOR
	5GL	T:B-10	OFFICE OF GREAT LAKES NATIONAL PROGRAMS
	5PA	JCK-14	OFFICE OF PUBLIC AFFAIRS
	5PL	JCK-16	REGION V LIBRARY
	5C	JCK-16	OFFICE OF REGIONAL COUNSEL
X	5CS	JCK-16	SOLID WASTE & EMERGENCY RESPONSE BRANCH
	5CA	JCK-16	AIR/WATER/TOXICS/GENERAL LAW BRANCH
	5A	JCK-26	AIR MANAGEMENT DIVISION
	5AC	JCK-26	AIR COMPLIANCE BRANCH
	5AR	JCK-26	AIR & RADIATION BRANCH
	5S	536-10	ENVIRONMENTAL SERVICES DIVISION
	5SCDO	536-9	CENTRAL DISTRICT OFFICE
	5SCRL	536-10	CENTRAL REGIONAL LABORATORY
	5SEM	536-10	ENVIRONMENTAL MONITORING BRANCH
	5SPT	536-7	PESTICIDES & TOXIC SUBSTANCES BRANCH
	5SOA	536-10	QUALITY ASSURANCE OFFICE
	5SEF	OHIO	EASTERN FIELD OFFICE-WESTLAKE, OHIO
	5H	JCK-14	PLANNING & MANAGEMENT DIVISION
	5HA	JCK-14	PLANNING & BUDGETING BRANCH
	5HE	JCK-14	ENVIRONMENTAL REVIEW BRANCH
	5HF	JCK-14	GRANTS & FINANCIAL MANAGEMENT BRANCH
	5HFA	JCK-14	FINANCIAL ANALYSIS SECTION
	5HFG	JCK-14	GRANTS MANAGEMENT SECTION
	5HP	JCK-14	PERSONNEL BRANCH
	5HS	JCK-14	MANAGEMENT SERVICES BRANCH
	5HSC	JCK-14	CONTRACTS & PROCUREMENT SECTION
	5HSA	JCK-12	ADMINISTRATIVE MANAGEMENT SECTION
	5HSG	JCK-11	GRAPHIC ARTS UNIT
	5HSD	JCK-14	OFFICE SERVICES UNIT
	5HI	JCK-11	INFORMATION MANAGEMENT BRANCH
	5HIS	JCK-11	SYSTEMS MANAGEMENT SECTION
	5HIT	JCK-11	INFORMATION SERVICES SECTION
	5H	JCK-12	WASTE MANAGEMENT DIVISION
	5HE	JCK-12	HAZARDOUS WASTE ENFORCEMENT BRANCH
	5HR	JCK-11	EMERGENCY & REMEDIAL RESPONSE BRANCH
	5HS	JCK-13	SOLID WASTE BRANCH
	5HGI	MICHIGAN	EMERGENCY RESPONSE SECTION-GROSSE ILE, MI.
	5W	TUB-8	WATER DIVISION
	5WG	TUB-8	OFFICE OF GROUND WATER PROTECTION
	5WD	TUB-9	SAFE DRINKING WATER BRANCH
	5WF	TUB-9	MUNICIPAL FACILITIES BRANCH
	5WPP	TUB-9	ENVIRONMENTAL PLANNING SECTION
	5WFI	TUB-9	ENVIRONMENTAL IMPACT UNIT
	5WFT	TUB-8	TECHNICAL SUPPORT SECTION
	5WQC	TUB-8	WATER QUALITY BRANCH
	5WOD	TUB-8	DREDGE & FILL SECTION
	5WOP	TUB-8	PERMITS SECTION
	5WPM	TUB-9	STATE PROGRAM MANAGEMENT SECTION
	5WQS	TUB-8	PLANNING & STANDARDS SECTION
	5CCI	JCK-4	OFFICE OF CRIMINAL INVESTIGATIONS
	5OTGI	JCK-4	OFFICE OF INSPECTOR GENERAL/INVESTIGATIONS
	5OTGA	10 WJACK	OFFICE OF INSPECTOR GENERAL/AUDITS
INFO	PER TELECON	COMMENT	ACTION
REMARKS (SEE BELOW OR REVERSE)			